

From: John Travitzky
To: Microsoft ATR
Date: 1/4/02 6:35pm
Subject: <no subject>

From: John James Travitzky
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Yucca Valley, CA 92284

To: Renata Hesse, Trial Attorney,
Suite 1200, Antitrust Division,
Department of Justice,
601 D Street NW,
Washington, DC 20530

Dear Ms. Hesse;

I am writing this letter in protest of the proposed Microsoft vs. U.S. settlement. I believe that allowing Microsoft to 3donate² software/hardware at retail cost is giving them an unfair advantage in the Educational fields. The outcome would most likely be that Microsoft writes off full retail values on any 3donations², therefore inflating value of the collection of debt from them. This would be a disservice to both the public, and the government.

The point of 3free technical support² is the same as above in reasoning. The 3cost² of Microsoft technical support is almost exclusively a maintenance issue, rather than a support issue. What I mean is, When using Windows machines, you almost always have to rely on others to keep your machine running. I have personally done many 3repairs² that were nothing more than transferring a couple of letters mistyped in commands, or, in other cases, downloading a driver from an internet source. Other computers historically have needed far less maintenance, tech support, or repairs. The hourly wage charged by Microsoft for 3tech support² or repairs could be inflated, therefore giving them another 3out² in having to pay the full penalty.

I am extremely concerned with the proposal's 3patriotic² overtones... that they (Microsoft) have utilized in the settlement. Microsoft is one of the world's largest companies, and they are now 3offering² to supply our poorest and most undereducated schools with their computers, software, and tech support. While this, in light of our immense needs in the educational fields is a great thing, it is not really an offer, but simply a way to 3write off² expenditures that are grossly inflated, pay off the penalty of this crime, and make the company look more humanitarian than they really are. They have been building libraries, offering 3free software², and

hardware within the educational community since their inception, and still, they are not a leader in this highly competitive market. This brings on my next point.

By allowing Microsoft to 3donate² to the educational community in lieu of payment for their crime, you are in essence, forgiving their debt, and allowing them to further their grasp in a field that has been held by their long time business competitor, Apple Computer, Inc. As a 17 year user of both Window based and MacOS based computers, I find it hard to believe this proposed settlement is plausible or legal. It negates the penalty of the convicted, allows them a further reach into the pockets of their competitor, and, does so at the consumers¹ expense.

By accepting the Microsoft proposal, you would take revenues from one of the most innovative companies in the computer industry. Apple Computers, Inc. They are known and respected in both the educational and business fields as a forerunner... one to look at, and emulate. Windows itself is an emulation, or, to be more precise, a copy of the Mac Graphic user interface. The reason Apple is known as forerunners is because they 3look beyond the box². Apple is known for going to great expense for their research and development. Many competitors in the Windows community openly (and proudly) copy the applications, interface design, or characteristics unique to Apple or Mac Computers. . Apple will not be able to continue its innovative and respected history without sales, and, as you know, Apple sells large amounts of computers in the educational market. they are number one in sales for 16 of 17 years in this field. By allowing Microsoft a 1 billion dollar foothold into this field, you are announcing the downfall of a great computer company.

Thank you for allowing me to share my personal feelings on this matter. Please do NOT allow Microsoft to flood our educational market with outdated systems. Do not allow them to 3pay² the public back by granting overcharged tech support. Do not allow them to take highly needed sales from their competitors in lieu of debt repayment. Do not grant them leadership in a field that has never been theirs in computing history, at the public¹s expense. Lastly, and most importantly, do not insult Justice by saying that granting Microsoft these unfair advantages, that they will have paid for their crime.

Respectfully,

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John James Travitzky